

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

MICHAEL D. GARVER,)	4:15CV3017
)	
Petitioner,)	
)	
v.)	MEMORANDUM
)	AND ORDER
RICHARD CRUICKSHANK,)	
)	
Respondent.)	

This matter is before the court on its own motion. The court takes judicial notice of Nebraska Department of Correctional Services public records, which show that the petitioner has been released from incarceration. *See [Stutzka v. McCarville](#), 420 F.3d 757, 761, n.2 (8th Cir. 2005)* (court may take judicial notice of public records). The petitioner has an obligation to keep the court informed of his current address at all times. *See [NEGenR 1.3](#)*(e) and (g) (requiring pro se parties to adhere to local rules and inform the court of address changes within 30 days). This case cannot be prosecuted in this court if the petitioner's whereabouts remain unknown.

IT IS THEREFORE ORDERED that: The petitioner must apprise the court of his current address within 30 days. Failure to do so will result in dismissal of this matter without prejudice and without further notice. The clerk of the court is directed to set a pro se case management deadline in this case using the following text: September 7, 2015: check for address; dismiss if no update.

DATED this 4th day of August, 2015.

BY THE COURT:

s/ Joseph F. Bataillon
Senior United States District Judge

*This opinion may contain hyperlinks to other documents or Web sites. The U.S. District Court for the District of Nebraska does not endorse, recommend, approve, or guarantee any third parties or the services or products they provide on their Web sites. Likewise, the court has no agreements with any of these third parties or their Web sites. The court accepts no responsibility for the availability or functionality of any hyperlink. Thus, the fact that a hyperlink ceases to work or directs the user to some other site does not affect the opinion of the court.